

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

| | | |
|--------------------------|---|---------------------|
| IN THE MATTER OF: |) | |
| |) | |
| Marblehead Lime Company |) | NOTICE OF VIOLATION |
| Gary, Indiana |) | |
| |) | EPA-5-02-01-IN |
| |) | |
| Proceedings Pursuant to |) | |
| Section 113(a)(1) of the |) | |
| Clean Air Act, 42 U.S.C. |) | |
| § 7413(a)(1) |) | |

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Marblehead Lime Company is violating the Indiana State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On January 19, 1989, U.S. EPA approved 326 Indiana Administrative Code (IAC) 7-4, Section 8.1, containing sulfur dioxide (SO₂) emission limits and requirements for Lake County, Indiana as part of the federally enforceable SIP for Indiana. 54 Fed. Reg. 2112.
2. 326 IAC 7-4, Section 8.1(c)(15) requires, among other things, that beginning September 30, 1990, SO₂ emissions from Marblehead Lime Company's Rotary Kilns 1-5 be vented from stacks with heights above grade no less than 162 feet.

Violations

3. Marblehead Lime Company owns and operates a lime manufacturing facility at N. Clark Road at Lake Michigan, Gary, Lake County, Indiana. The facility operates five Rotary Kilns 1-5. The emissions from each kiln are vented through six stacks.
4. Marblehead Lime Company's lime kiln stack heights are between about 79 and 95 feet.

5. Since September 30, 1990, SO₂ emissions from Marblehead Lime Company's Rotary Kilns 1-5 have been vented from stacks with heights above grade less than 162 feet.
6. Therefore, Marblehead Lime Company is in violation of 326 IAC 7-4, Section 8.1(c)(15) of the federally approved Indiana SIP.

12-10-01

Date



Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, No. EPA-05-02-01-IN, by Certified Mail, Return Receipt Requested, to:


Ron Vessell, Plant Manager
Marblehead Lime Company
Buffington Plant
N. Clark Road at Lake Michigan
P.O. Box 689
Gary, Indiana 46402-1689

I also certify that I sent copies of the Notice of Violation by first class mail to:

David McIver, Chief
Air Section
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Adriane Bleasing, Director
Northwest Regional Office
Indiana Department of Environmental Management
NBD Bank Building, Suite 418
504 North Broadway
Gary, Indiana 46402-1921

on the 12th day of December, 2001.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7099 3400 0000 9586 4471